

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

TROY E. TILLERSON,

\*

Plaintiff,

\*

vs.

CASE NO. 3:05-cv-985-MEF

THE MEGA LIFE AND HEALTH  
INSURANCE CORPORATION, a  
corporation; TRANSAMERICA LIFE  
INSURANCE COMPANY F/K/A PFL  
LIFE INSURANCE COMPANY, a  
corporation; NATIONAL ASSOCIATION  
FOR THE SELF EMPLOYED A/K/A  
NASE, a corporation,

\*

Defendants.

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**DEFENDANTS' MOTION FOR LEAVE TO FILE REPLY  
TO PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO STRIKE  
STATE LAW CLAIMS, CLAIMS FOR PUNITIVE OR  
EXTRACONTRACTUAL DAMAGES, AND JURY DEMAND**

COME NOW, Defendants, who respectfully request leave to file a reply to Plaintiff's response to the Defendants' motion to strike state law claims, claims for punitive or extracontractual damages, and jury demand. In support of this motion, Defendants say as follows:

1. On November 21, 2006, Defendants filed their motion to strike and supporting brief.
2. On November 29, 2006, this Court entered an Order directing Plaintiff to show cause in writing on or before December 8, 2006 as to why the motion to strike should not be granted.

3. On December 8, 2006, Plaintiff filed his response to the motion to strike.
4. Counsel for Defendants request leave to file a reply that succinctly responds to certain of the arguments raised by Plaintiff in his response.
5. Defendants submit that allowing them to file a reply will assist the Court in its decision on the motion to strike and will not prejudice any party.

WHEREFORE, premises considered, Defendants respectfully request this Court grant their motion for leave to file a reply in response to Plaintiff's opposition to the motion to strike.

s/Pamela A. Moore

JAMES W. LAMPKIN II (LAMPJ7474)  
PAMELA A. MOORE (MOORP5421)  
Attorneys for Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2006, the foregoing document was electronically filed with the Clerk of this Court using the CM/ECF system, which will send notification of such filing to the following:

Steven W. Couch, Esq.  
Hollis & Wright, P.C.  
505 North 20th Street, Suite 1500  
Birmingham, Alabama 35203

s/Pamela A. Moore  
COUNSEL